

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, JUNE 21, 1999
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

Table of Contents

CHRONOLOGY OF THE MEETING	5
ATTENDANCE DURING THE MEETING	5
ROLL CALL	6
INVOCATION	6
PLEDGE OF ALLEGIANCE	6
NON-AGENDA COMMENT	7
COUNCIL COMMENT	8
ITEM-30: Approval of Council Minutes	10
ITEM-31: Commending the Men and Women of the Legal Profession and Staff of Saint Vincent De Paul Village and Vietnam Veterans of San Diego, Inc. for their efforts to Assist San Diego's Homeless Clear Outstanding Warrants	11
* ITEM-50: Rezoning for Sav-On Drug Store - Carmel Mountain Ranch	12
* ITEM-51: Torrey Glenn Rezoning	12
* ITEM-52: Matter of Amendment of Affordable Housing Density Bonus Program	13
* ITEM-53: State Water Resource Control Board - Low Interest Loan Program Authorization	14
* ITEM-100: Equal Employment Opportunity	15
* ITEM-101: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by adding a	

Minutes of Monday, June 21, 1999
Table of Contents (Continued)

Page 2

Council Meeting on September 10, 1999 at 10:00 a.m	16
* ITEM-102: Easement Grant - Central Area Police Substation - Pacific Bell	16
* ITEM-103: <u>Two</u> actions related to Alvarado Trunk Sewer Re-alignment	17
* ITEM-104: Annual Review of the North City West (Carmel Valley) School Facilities Master Plan for Fiscal Year 1998-99	18
* ITEM-105: Acceptance of State of California Smart Growth Funds	19
* ITEM-106: Environmental Enhancement Mitigation Program (EEMP) Grant Application	20
* ITEM-107: Wetlands Clearing House Grant - Famosa Slough Culvert Extension and Retrofit	22
* ITEM-108: Boat Launching Facility Grant - Restoration of Mission Bay Parks Boat Launching Facilities	23
* ITEM-109: Contract for Bicycle Safety Education Program	25
* ITEM-110: Funding for Design of Coast-to-Crest Trail Undercrossing at I-5	26
* ITEM-111: Transfer Funds to SDUSD: Fletcher Elementary School Tot Lot Upgrade	27
* ITEM-112: Otay Mesa Road Widening - Temporary State Route 905	28
* ITEM-113: Project to Retime 36 Traffic Signals	29
* ITEM-114: Project to Retime 99 Traffic Signals	31
* ITEM-115: Underground Storage Tank Upgrade Project - Fire Stations No. 42, No. 43 and Fire Communications Center	32
* ITEM-116: San Diego Workforce Partnership, Inc. & South Metro Career Center Day	34
* ITEM-117: Excusing Mayor Susan Golding from the Council Meetings of May 24 and 25, 1999	34

Minutes of Monday, June 21, 1999
Table of Contents (Continued)

Page 3

ITEM-118:	Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico	35
* ITEM-119:	Alzheimer's Family Center	36
* ITEM-120:	South Bay Water Reclamation Plant - Second Amendment to the Agreement with Parsons Engineering Science, Inc	37
* ITEM-121:	Amendment No. 1 to the Metropolitan Operations Center Agreement (MOC) Sillman/Wyman, Inc	38
* ITEM-122:	<u>Two</u> actions related to School Safety Patrol Summer Camp	39
* ITEM-123:	Construction of Water and Sewer Group Job 529	41
* ITEM-124:	Point Loma Scum Removal System - Concrete Restoration	43
* ITEM-125:	Point Loma - Headworks, Odor Control, and Grit Processing Facilities	44
* ITEM-126:	Reappointments to the Board of Appeals and Advisors (Buildings)	45
* ITEM-127:	Appointment to the Commission on the Status of Women	46
* ITEM-128:	Reappointments to the Historical Site Board	47
* ITEM-129:	Loan Repayment to Presley Homes/Carmel Mountain Ranch and Transfer of Funds from the Rancho Bernardo Library Project to the Rancho Bernardo Community Enhancement Project	48
ITEM-150:	Funding Plan to Support the Golf Enterprise Fund, Fiscal Years 2000-2002	49
ITEM-200:	Fiscal Year 2000 Tax Appropriations Limit	50
ITEM-201:	Deappropriation of TransNet Funds	51
ITEM-202:	A Resolution Creating a System-Paid Purchase of Service Credit for the Retirement Administrator as Approved by the Board on July 17, 1998	52
ITEM-203:	Catamaran Hotel Beach Permit Renewal	54

ITEM-204:	Agreement with Mac-Donald Stephens, Engineers, Inc., for the Encanto Park Pipeline	55
ITEM-205:	Point Loma Digesters Upgrade and Expansion Project	56
ITEM-206:	<u>Two</u> actions related to the South Bay Water Reclamation Plant Expansion	58
ITEM-207:	South Bay Water Reclamation Plant, CP-3, Change Order for Instruments	60
ITEM-208:	Street Vacation - San Clemente Northeast of Voltaire Street	62
ITEM-209:	In the matter of directing the City Manager to execute a lease amendment with Educational Enrichment Systems, Inc. in order to obtain financing to build a child care facility at property located adjacent to 2342 East Jewett Street, San Diego	63
ITEM-S400:	Presentation to MSC Specialty Films	64
NON-DOCKET ITEMS	65
ADJOURNMENT	65

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 2:05 p.m. Mayor Golding adjourned the meeting at 3:54 p.m. into Closed Session on Tuesday, June 22, 1999, at 9:00 a.m., in the twelfth floor conference room to discuss existing and anticipated litigation, conference with Real Property Negotiator in the matters of lease amendment and real property interests, and to discuss meet and confer matters.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-present

(7) Council Member McCarty-present

(8) Council Member Vargas-present

Clerk-Abdelnour (mc)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor Golding-present
- (1) Council Member Mathis-present
- (2) Council Member Wear-present
- (3) Council Member Kehoe-present
- (4) Council Member Stevens-present
- (5) Council Member Warden-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Father Tom Finnegan of the St. Vincent de Paul Roman Catholic Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member Stevens.

FILE LOCATION: MINUTES

NON-AGENDA COMMENT:

PUBLIC COMMENT-1:

Comments by Don Stillwell regarding the \$130 million approved for the downtown library that has no fixed site, design, or EIR study and the fact that the voters have voted to approve \$411 million for a ballpark that has no fixed site, design or EIR study. Mr. Stillwell also commented on possible noise pollution at the ballpark due to firework displays.

Mayor Golding responded that there is an EIR process that is required by law in this state. She stated that there will always be disagreements over its interpretations, however, the fixed process for the EIR should be done after the supplemental EIR is completed, and not before. Mayor Golding also stated that the dollar amount for the main library is not fixed but is set aside until the Council makes the final decision.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A042-077.)

PUBLIC COMMENT-2:

Comment by Daniel Beeman stating that the ballpark process is not abiding by the state laws. Mr. Beeman also stated that the Council Members nor their staff have attended any of the draft EIR meetings. He asked the Mayor and Council why they have not responded to the questions and concerns of the majority of the citizens at these meetings. He voiced his concern that Council is moving forward so quickly on the ballpark process which he feels will have a significant impact on the City according to the draft EIR. The impacts would include traffic, parking, transit and homeless problems.

Mayor Golding responded that the Council is doing what the citizens directed them to do which was to direct the City Manager to sign a Memorandum of

Understanding and to proceed under that Memorandum of Understanding on a major redevelopment project for downtown, which also includes a ballpark. She also stated that they have had Mike Maddigan at the hearings representing the Mayor and Council. Mr. Maddigan was hired to oversee the implementation of the redevelopment and ballpark project.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A078-127.)

COUNCIL COMMENT:

COUNCIL COMMENT-1:

Comments by Council Member McCarty regarding the possibility of facing greater increases in our water rates because of the Eastside Reservoir in Hemet being 64 percent over budget. She stated that although it has nothing to do with the City, once again the City will be asked to raise the water rates. Ms. McCarty believes the City should fight the increase with everything they have and begin to address this issue in the NR&C Committee and through the Mayor's office. She also stated that the City needs to get more and better representation on the Metropolitan Water District Board.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A133-171.)

COUNCIL COMMENT-2:

Comments by Council Member Warden announcing that the construction on State Route 56, that will alleviate traffic to the Miramar and Mira Mesa communities, will begin on October 21, 1999. She also announced that she heard from the Governor's office that the City of San Diego will receive \$41 million for State Route 905 and Interstate 15. State Route 905 funds total \$180 million and the project is currently in the design and environmental stages, with construction to begin in the year 2002. With the additional funds of \$14.5 million, Interstate 15 will hopefully be constructed in eighteen months. Ms. Warden stated that she also

met with the Fish and Wildlife Department, who has been very cooperative in environmental issues around State Route 56, and they thanked the City of San Diego specifically for choosing the northern alignment.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A172-203.)

COUNCIL COMMENT-3:

Comment by Council Member Stallings thanking the many volunteers that came to the tri-canyon cleanup at Tecolote Canyon on June 12th. The cleanup was a joint effort between her office and Council Members Mathis' and Warden's offices. She concluded by thanking California Pizza, Einstein Brothers Bagels, Mission Bay Hilton, Kyles Food Stores, Marie Callender's Restaurant, McDonald's, Living Room Round Table Pizza, Sorrenda Plantation, Taco Bell, Viking Bakery, Vons Grocery, In-N-Out Burgers and Ralphs Grocery for providing the food and beverages for all the volunteers.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A204-217.)

COUNCIL COMMENT-4:

Comment by Council Member Stevens stating that he will not support any water rate increase due to the Eastside Reservoir being 64 percent over budget. Mr. Stevens stated that he will do everything necessary to prevent the increase from taking place. He also stated that the General Manager of the Metropolitan Water District will be coming before Council and suggested that everyone be prepared to raise a number of questions, give direction, and state that it is unacceptable to increase the water rates. In addition, Mr. Stevens stated that he hoped that the Council can look at alternative means for their water supply.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A218-251.)

COUNCIL COMMENT-5:

Comment by Council Member Vargas stating that he agreed with Council Members McCarty and Stevens stating that it would be unacceptable to approve water rate increases for the City of San Diego due to the Eastside Reservoir being 64 percent over budget.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A255-263.)

ITEM-30: Approval of Council Minutes.

TODAY'S ACTION IS:

Approval of Council Minutes for the meetings of:

5/24/99

5/25/99

5/31/99 Adjourned

6/1/99

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A350-354.)

MOTION BY STALLINGS TO APPROVE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-31: Commending the Men and Women of the Legal Profession and Staff of Saint Vincent De Paul Village and Vietnam Veterans of San Diego, Inc. for their efforts to Assist San Diego's Homeless Clear Outstanding Warrants.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1492) ADOPTED AS RESOLUTION R-291768

Commending the men and women of the legal professional and staff of Saint Vincent de Paul Village and Vietnam Veterans of San Diego, Inc. for their efforts to assist San Diego's homeless clear outstanding warrants, which prevent them from gaining employment and services, to begin the process of becoming once again respected citizens of our community:

City Attorney's Office:

Casey Gwinn, Susan Heath, Hilda R. Mendoza, Sandra Bankhead, Nancy Al-Hibshi, Novell Riley, Laurie Russell, Cortisa Singleton

Court:

Honorable David Daniels, Bridgette Scott, Suzy Escueda, Rochelle Salas, Vanessa Logan, D. Kent Petersen, Judy Stenberg, Lori Brown

Public Defender's Office:

Steve Carroll, Juliana Humphrey, Bill Trainor, Connie Magana, Steve Binder, Rick Crawford, Alex Balvaneda, Richard Castellanos, Pat Radburn, Carol Matttert

Nonprofit Agencies:

Vietnam Veterans of San Diego, Inc. - Andre Simpson
Saint Vincent de Paul Village - Mona Taylor

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A472-553.)

MOTION BY KEHOE TO ADOPT. Second by McCarty. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-50: Rezoning for Sav-On Drug Store - Carmel Mountain Ranch.

(RZ-98-0252. District-5.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/1/99. (Council voted 8-1.
Councilmember Stevens voted nay):

(O-99-100) ADOPTED AS ORDINANCE O-18652 (New Series)

Rezoning 2.94 acres located on the northeast corner of Camino Del Norte and
Paseo Lucido, within the Carmel Mountain Ranch Community Plan Area, from
the A1-10 Zone into the CA Zone.

FILE LOCATION: LAND - Progress Guide and General Plan - Carmel
Mountain Ranch (09)

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND
ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote:
Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea,
Vargas-yea, Mayor Golding-yea.

* ITEM-51: Torrey Glenn Rezoning.

(RZ-98-0261. District-1.)

NOTE: The public testimony portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/1/99. (Council voted 8-0. Mayor Golding not present):

(O-99-129) ADOPTED AS ORDINANCE O-18653 (New Series)

Rezoning 32.2 acres located on the east side of the extension of Camino Ruiz, within the boundaries of the Torrey Highlands Subarea IV Plan of the North City Future Urbanizing Area, from the A1-10 (Agricultural) Zone to the R1-6000 (Single Family Residential) Zone.

FILE LOCATION: PERM 98-0261 (65)

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-52: Matter of Amendment of Affordable Housing Density Bonus Program.

(Citywide.)

NOTE: The public portion of the hearing is closed.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/1/99. (Council voted 8-0. Mayor Golding not present):

(O-99-84) ADOPTED AS ORDINANCE O-18654 (New Series)

Amending the San Diego Municipal Code by amending Chapter 12, Article 6, Division 5 of the Land Development Code by amending Sections 126.0502 and 126.0504; amending Chapter 14, Article 1, Division 3 by amending Section 141.0310; amending Chapter 14, Article 3, Division 3 by amending Section

143.0302; and amending Chapter 14, Article 3, Division 7 by amending Section 143.0710, 143.0715, 143.0720 and 143.0730, by repealing Sections 143.0740 and 143.0750, and by adding new Sections 143.0740 and 143.0750, all relating to Density Bonus Regulations.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-53: State Water Resource Control Board - Low Interest Loan Program Authorization.

CITY COUNCIL'S RECOMMENDATION:

Adopt the following ordinance which was introduced on 6/8/99. (Council voted 9-0):

(O-99-127) ADOPTED AS ORDINANCE O-18655 (New Series)

Authorizing the City Manager to apply for and accept from the State Water Resources Control Board state revolving loan funds for five City wastewater infrastructure projects at the Point Loma Wastewater Treatment Plant and the South Bay Water Reclamation Plant.

NOTE: 6 votes required pursuant to Section 99 of the City Charter.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO DISPENSE WITH THE READING AND ADOPT THE ORDINANCE. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-100: Equal Employment Opportunity.

(See Personnel Director's Report Dated 4/14/99.)

PERSONNEL DIRECTOR'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1058) ADOPTED AS RESOLUTION R-291769

Accepting the Annual Equal Employment Opportunity Report from the Personnel Director dated April 14, 1999, covering the period from December 12, 1997 to December 11, 1998.

PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S RECOMMENDATION:

On 4/14/99, PS&NS voted 4-0 to accept the report. (Councilmembers Mathis, Wear, Stevens and Warden voted yea. Councilmember Kehoe not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-101: Amending the 1999 Legislative Calendar for Meetings of the San Diego City Council and Standing Committees, by adding a Council Meeting on September 10, 1999 at 10:00 a.m.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1454) ADOPTED AS RESOLUTION R-291770

Amending the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 1999 through December 31, 1999, by adding a Council meeting on Friday, September 10, 1999 at 10:00 a.m., in the Council Chambers, 202 C Street, San Diego, CA 92101.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-102: Easement Grant - Central Area Police Substation - Pacific Bell.

(Grant Hill Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1445) ADOPTED AS RESOLUTION R-291771

Authorizing the execution of a deed conveying to Pacific Bell an easement for the purpose of installing and maintaining telecommunication facilities affecting Lot 11 in Block 17, Map-478.

CITY MANAGER SUPPORTING INFORMATION:

Pacific Bell has requested an easement for the purpose of constructing and maintaining telecommunications facilities servicing the Central Area Police Substation on Imperial Avenue, near 25th Street. The easement is 5 feet in width, and 160.25 feet in length, covering 801.25 square feet. Since this easement allows telecommunication service to the Police Substation, there will be no charge for it.

FILE LOCATION: DEED F-7534

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-103: Two actions related to Alvarado Trunk Sewer Re-alignment.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1288) ADOPTED AS RESOLUTION R-291772

Authorizing the City Manager to accept an Agreement and Grant of Easement and Quitclaim of the Trustees of the California State University, granting to the City sewer easements across portions of Lot 67 of the Partition of Rancho Mission of San Diego Map-330, as corrected.

Subitem-B: (R-99-1286) ADOPTED AS RESOLUTION R-291773

Vacating the sewer easement in portions of Lot 67 of the Partition of Rancho Mission of San Diego Map-330.

CITY MANAGER SUPPORTING INFORMATION:

The Alvarado Trunk Sewer Re-alignment Project became necessary after the heavy rains in March, 1991. Alvarado Creek overflowed its banks, causing erosion beneath the 21-inch trunk sewer, which ultimately led to a sewer break. City maintenance crews repaired the break with a temporary concrete encasement and have since conducted periodic visual inspections. City staff determined that the break was located within CALTRANS' flood channel for Alvarado Creek, which runs parallel to Interstate 8 (I-8). The only practical permanent repairs is to re-align the trunk sewer outside of CALTRANS' flood control channel. Project plans call for realigning the sewer line from the flood control channel to Canyon Crest Drive, an improved private road, owned by the Trustees of the California State University (CSU). The re-aligned trunk sewer will then pass north, under I-8, and connect to the existing 21-inch Alvarado Trunk Sewer, in an open space area also owned by CSU. The resolution for authorization of acceptance, and subsequent recordation, of the subject Agreement and Grant of Easement and Quitclaim document is sought to rectify errors and omissions made in the legal description (and corresponding drawing) of the previously-recorded agreement identified as File/Page No. 1998-0339164, the acceptance of

which was authorized by Resolution R-290143, adopted May 26, 1998. Once recorded, the revised agreement will supersede the previously-recorded document, and the corresponding City Engineer Drawing can then be finalized and made a record.

FILE LOCATION: Subitems A & B: DEED F-7535

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-104: Annual Review of the North City West (Carmel Valley) School Facilities Master Plan for Fiscal Year 1998-99.

(See City Manager Report CMR-99-119. Carmel Valley Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1429 Cor.Copy) ADOPTED AS RESOLUTION R-291774

Accepting the 1998-99 Annual Review of the North City West School Facilities Master Plan for the Carmel Valley Community.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-105: Acceptance of State of California Smart Growth Funds.

(Mid-City, Normal Heights, Kensington-Talmadge and City Heights Community Areas. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1485) ADOPTED AS RESOLUTION R-291775

Authorizing the City Manager to execute an agreement with the State Energy Resources Conservation and Development Commission (State of California Contract Number 700-98-005), for the Mid-City Transit Interchanges Project;

Authorizing the City Manager to accept and expend funds from the California Energy Commission (\$100,000) and the California Department of Transportation (\$25,000) for work on the McTIP project.

CITY MANAGER SUPPORTING INFORMATION:

In May of 1998, the City of San Diego joined a partnership of agencies and organizations in work on the Mid-City Transit Interchanges Project (McTIP). McTIP is an on-going planning and implementation project focused on several blocks of the Mid-City Community within and surrounding the Interstate 15 (I-15) construction corridor. The intent is to capitalize on the investment undertaken by CalTrans and ensure that future development surrounding I-15 enhances the area and is consistent with community goals as well as 'Smart Growth' and Transit-Oriented Development principles. To date, work on this project has been primarily supported by Community Development Block Grant (CDBG) Funding. The State of California has allocated \$125,000 to assist the City of San Diego in analyzing each revitalization option using the PLACE3S energy efficient model. The funding will enable the City to continue to coordinate the work of the McTIP Consulting Team to develop a complex geographic information database which will support the McTIP project and serve as a model for energy-efficient development throughout California. Council action is needed to accept the funding and direct the City Manager to execute all documents necessary to utilize the funding.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-106: Environmental Enhancement Mitigation Program (EEMP) Grant Application.

(College, Golden Hill, Mid-City, Greater North Park and Southeast San Diego Community Areas. Districts-3, 4, 7 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1486) ADOPTED AS RESOLUTION R-291776

Authorizing the City Manager, or his duly designated representative, to make application to the State of California for the Environmental Enhancement and Mitigation Program for grant assistance for the "Trees 2-K San Diego" Tree Planting program;

Authorizing the City Manager, or his duly designated representative, to take all necessary actions to secure funding from the State for the project;

Authorizing the City Manager, or his duly designated representative, to conduct all negotiations, execute and submit all documents including but not limited to applications, agreements, payment requests, and so on, which may be necessary for the completion of the project;

Authorizing the City Manager, or his duly designated representative, as agent(s) of The City of San Diego, to accept and expend funds if grant is secured;

Certifying that the applicant will make adequate provisions for operation and maintenance of the project.

CITY MANAGER SUPPORTING INFORMATION:

The Environmental Enhancement and Mitigation Program (EEMP) was established by the enhancement of the Transportation Blueprint Legislation of 1989. The legislation states that the

intent is to allocate \$10,000,000 annually to this program for a 10-year period to Fiscal Year 2000-01, which funds projects that will specifically further mitigate the environmental impacts of a related transportation project. The funds are split 60 percent (\$6,000,000) for Southern California and 40 percent (\$4,000,000) for Northern California. This highly competitive grant program will generally award up to \$250,000 per project. Grant applications will be reviewed by the State resources Agency who will recommend projects for funding to the California Transportation Commission. After a review of the criteria for the Fiscal Year 2000 EEMP, the following project will be submitted by City staff. The "Trees 2-K San Diego" Tree Planting Program will request \$227,750 to plant 2,000 street trees along the public rights of way to enhance the visual and air quality of the surrounding neighborhoods, and mitigate the impacts related to the state Route 15 - 40th street freeway completion project.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-107: Wetlands Clearing House Grant - Famosa Slough Culvert Extension and Retrofit.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1433) ADOPTED AS RESOLUTION R-291777

Authorizing the City Manager or his representative to apply to, and to take all necessary actions to secure funding from, the Wetland Clearing House Grant Program (Grant Program) for the Project;

Authorizing the City Manager or his representative to accept and expend funds if a grant is secured;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the grant.

CITY MANAGER SUPPORTING INFORMATION:

In April 1999, the Regional Water Quality Control Board (RWQCB) requested that the Park and Recreation Department provide potential projects for funding under the Wetlands Clearing House Grant Program. The Park and Recreation Department has identified the Famosa Slough Culvert Extension and Retrofit as a competitive project under the grant guidelines. Project scope would include a feasibility study, design and construction of a second culvert connection between Famosa Slough and Famosa Channel. Project would increase the tidal exchange to further encourage wetland habitat in the Slough.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-108: Boat Launching Facility Grant - Restoration of Mission Bay Parks Boat Launching Facilities.

(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1354) ADOPTED AS RESOLUTION R-291778

Authorizing the City Manager or his representative to apply for, and to take all necessary actions to secure, funding from the California Department of Boating and Waterways Boat Launching Facility Grant Program for the Project;

Authorizing the City Manager or his representative to allocate matching funds if a grant is secured;

Authorizing the City Manager or his representative, upon issuance of an Auditor's Certificate for the matching funds, to accept and expend funds if a grant is secured;

Authorizing the City Auditor and Comptroller to establish a special interest-bearing fund for the grant.

CITY MANAGER SUPPORTING INFORMATION:

The California Department of Boating and Waterways California Boat Launching Facility Grant Program was developed to provide assistance to local agencies for the development, enhancement, and rehabilitation of boat launching facilities to provide convenient and safe access to the waters of the State. Projects selected by the State Resources Agency will be presented and included in the Fiscal Year 2001 State budget. Funding should be available to local agencies by early 2001 (FY 2002).

The Park and Recreation Department has identified the need for the rehabilitation of Mission Bay Park's boat launching facilities. Project scope will include the following improvements:

Dana Basin (7 lanes)

- ! Boat dock upgrades for disabled access.
- ! Replacement of restroom facility (including showers).
- ! Parking lot improvements, such as repair to parking lot subgrade, new landscaping and lighting.
- ! Buoy replacement.
- ! New entrance signage.

De Anza Cove (6 lanes)

- ! Replacement of restroom facility (including showers).
- ! Parking lot improvements, such as repair to subgrade and new lighting.
- ! New entrance signage.

Santa Clara (2 lanes)

- ! Parking lot improvements, such as repair to subgrade, new landscaping and lighting.

Ski Beach (41anes)

- ! Boat dock upgrades for disabled access.
- ! Replacement of restroom facility (including showers).
- ! New entrance signage.

Proposed project cost is \$3,291,744.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-109: Contract for Bicycle Safety Education Program.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1474) ADOPTED AS RESOLUTION R-291779

Authorizing the City Manager to accept and appropriate a grant from the State Office of Traffic Safety (OTS) in the amount of \$198,800 to provide a bicycle and pedestrian safety education program from October 1, 1998 through December 31, 2000;

Authorizing the City Manager to execute an agreement with Safe Moves to provide bicycle and pedestrian safety education training from October 1, 1998 through December 31, 2000;

Authorizing the expenditure of \$198,800 from OTS Grant Fund 38954 to fund the bicycle and pedestrian safety education program from October 1, 1998 through December 31, 2000.

CITY MANAGER SUPPORTING INFORMATION:

On September 14, 1998, Council approved the submission of a grant application to the State of California Office of Traffic Safety (OTS) in the amount of \$198,000 to provide continuing funding for the City's ongoing bicycle and pedestrian safety education program. On October 13, 1998, OTS approved the City's grant application, and awarded the \$198,800 grant. This grant will provide funding for the bicycle and safety education program from October 1, 1998 to December 31, 2000. This time period can be adjusted to begin on the actual date the contract becomes effective. Staff is requesting approval to enter into a contract with Safe Moves, an MBE/WBE certified consulting firm which has been conducting the safety education sessions for the City since 1994, to continue to provide these sessions with funding from the OTS grant. During the grant period, Safe Moves will conduct 1000 classroom workshops, 50 school-based rodeos, 50 parent workshops, 24 community presentations, and 24 community-based rodeos. All activities will be in conjunction with the San Diego Unified School District, and will take place in all eight Council Districts.

Aud. Cert. 9901270

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-110: Funding for Design of Coast-to-Crest Trail Undercrossing at I-5.

(NCFUA Subarea II, Torrey Pines Community Area. District-1.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1450) ADOPTED AS RESOLUTION R-291780

Authorizing the City Manager to accept \$50,000 in Local Transportation Funds (LTF), to be placed in Fund 390060, for pass-through funding to the San Dieguito River Valley JPA;

Authorizing the pass-through of \$50,000 to the San Dieguito River Valley JPA for design of the Coast-to-Crest Trail undercrossing at Interstate 5.

CITY MANAGER SUPPORTING INFORMATION:

On July 8, 1996, Council authorized an application to SANDAG for \$50,000 in Local Transportation Funds (LTF) for design of a portion of the "Coast-to-Crest" bicycle trail in the San Dieguito River Park. This portion of the trail will be a 1.25 mile long bicycle path and adjacent hiking/equestrian trail that would cross under Interstate 5 at the San Dieguito Lagoon, linking two trail segments on either side of the freeway. Funding for construction will be requested from SANDAG at a future date. The project is being administered by the San Dieguito River Park JPA; the City is serving as a pass-through agency.

Aud. Cert. 9901247.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-111: Transfer Funds to SDUSD: Fletcher Elementary School Tot Lot Upgrade.

(Serra Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1431) ADOPTED AS RESOLUTION R-291781

Authorizing the City Auditor and Comptroller to appropriate and expend an amount not to exceed \$27,700 to the San Diego Unified School District from the Park and Recreation Department Matching Funds, Fund No. 10365, for improvements to the joint-use Fletcher Elementary School/Birdland Neighborhood Park Tot Lot.

CITY MANAGER SUPPORTING INFORMATION:

The Fletcher Elementary School/Birdland Neighborhood Park is a joint-use facility in Serra Mesa located at Bobolink Way and Finch Lane, adjacent to Highway 163. Due to attrition over the years, only minimal play equipment remains within the playground. This project will replace unsafe equipment, provide additional equipment and amenities, and provide disabled access in compliance with Americans with Disabilities Act (ADA) standards. This project is being jointly developed. The City is responsible for the design and maintenance of the facility. The San Diego Unified School District (School District) will be responsible for preparation of the construction documents, bidding the project, construction and providing for inspection during construction. A variety of sources are contributing to the funding of this project. The Fletcher Elementary School PTA has raised a total of \$10,200 (\$9,700 contributed by the Fletcher PTA and \$500 from the San Diego Friends of the Park Foundation). The City of San Diego Park and Recreation Department is providing matching funds in the amount of \$17,500. The remaining project cost of \$154,617, which includes a \$7,300 matching fund contribution, will be the responsibility of the School District. Estimated total project cost is \$182,317.

Aud. Cert. 9901228.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-112: Otay Mesa Road Widening - Temporary State Route 905.

(Otay Mesa Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1488) ADOPTED AS RESOLUTION R-291782

Authorizing the City Auditor and Comptroller to expend an additional \$350,000 from CIP-52-619.0, Fund No. 38555, for the payment of funds necessary to cover existing deficiencies which include labor charges, settlement of actions in eminent domain, relocation payments, litigation, and miscellaneous costs in connection with the widening of Otay Mesa Road from existing State Route 905 to east of La Media Road.

CITY MANAGER SUPPORTING INFORMATION:

By Resolution R-288209, dated December 10, 1996, Council approved an expenditure of \$1,900,000 for the acquisition of property rights on this project. Since that date, labor charges, unexpected additional appraisal costs and eminent domain settlements have led to deficiencies in the authorized funding on this project. The original Resolution R-288209 did not provide for labor charges in the authorized funding, however, labor charges have been applied to this account. In order to bring the funding in balance and pay the remaining obligations for labor charges, court ordered eminent domain settlements and relocation payments, additional funds in the amount of \$350,000 are required.

Aud. Cert. 9901281.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-113: Project to Retime 36 Traffic Signals.

(Barrio Logan, Carmel Valley, Centre City, Logan Heights, Memorial and Mountain View Community Areas. Districts-1, 4 and 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1382) ADOPTED AS RESOLUTION R-291783

Authorizing the City Manager to apply for Congestion Mitigation and Air Quality (CMAQ) funds;

Authorizing the City Manager to accept Program Supplement No. M0008 for retiming 36 traffic signals along five corridors:

Del Mar Heights Road (High Bluff Drive to Ashley Falls Drive/Lansdale Drive)
El Camino Real (Half Mile Drive to Townsgate Drive)
Imperial Avenue (12th Avenue to 33rd Street)
Ocean View Boulevard (28th Street to 40th Street)
32nd Street (Commercial Street to Harbor Drive)

Authorizing the appropriation and expenditure of \$18,000 of federal Congestion Mitigation and Air Quality (CMAQ) funds (Fund No. 38674), contingent upon the receipt of a signed program supplement.

CITY MANAGER SUPPORTING INFORMATION:

This action accepts \$18,000 of federal grant funding to provide for necessary data collection for retiming 36 traffic signals. Five corridors will be affected:

Del Mar Heights Road (High Bluff Drive to Ashley Falls Drive/Lansdale Drive),
El Camino Real (Half Mile Drive to Townsgate Drive),
Imperial Avenue (12th Avenue to 33rd Street),
Ocean View Boulevard (28th Street to 40th Street),
32nd Street (Commercial Street to Harbor Drive).

The traffic signals will be retimed for optimum traffic flow and reduced emissions, fuel consumption and delay. Retiming will be done by budgeted City staff.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-114: Project to Retime 99 Traffic Signals.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1383) ADOPTED AS RESOLUTION R-291784

Authorizing the City Manager to apply for Congestion Mitigation and Air Quality (CMAQ) funds;

Authorizing the City Manager to accept Program Supplement No. M0009 for retiming 99 traffic signals along seven corridors:

54th Street (University Avenue to Euclid Avenue)
Fairmount Avenue (University Avenue to Home Avenue)
Miramar Road (Eastgate Mall to Kearny Mesa Road)
Pomerado Road (Escala Drive to Bernardo Heights Parkway)
Poway Road (Sabre Springs Parkway to Springhurst Drive)
Robinson Avenue (First Avenue to Seventh Avenue)
University Avenue (First Avenue to Aragon Drive)

Authorizing the appropriation and expenditure of \$49,500 of federal Congestion Mitigation and Air Quality (CMAQ) funds, Fund No. 38673.

CITY MANAGER SUPPORTING INFORMATION:

This action accepts \$49,500 of federal grant funding to provide for necessary data collection for retiming 99 traffic signals. Seven corridors will be affected:

54th Street (University Avenue to Euclid Avenue),
Fairmount Avenue (University Avenue to Home Avenue),
Miramar Road (Eastgate Mall to Kearny Mesa Road),
Pomerado Road (Escala Drive to Bernardo Heights Parkway),
Poway Road (Sabre Springs Parkway to Springhurst Drive),
Robinson Avenue (First Avenue to Seventh Avenue),
University Avenue (First Avenue to Aragon Drive).

The traffic signals will be retimed for optimum traffic flow and reduced emissions, fuel consumption, and delay. Retiming will be done by budgeted City staff.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-115: Underground Storage Tank Upgrade Project - Fire Stations No. 42, No. 43 and Fire Communications Center.

(Carmel Mountain Ranch, Kearny Mesa, and Otay Mesa Community Areas. Districts-5, 6, & 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1444) ADOPTED AS RESOLUTION R-291785

Amending the FY99 Capital Improvement Program by adding \$107,965.51 to the Underground Hazardous Materials Storage Tanks Project CIP-33-084.0; \$77,965.51 from Capital Outlay Fund, and \$30,000 from Capital Outlay Other Fund 302453;

Authorizing the expenditure of \$107,965.51 from the Underground Hazardous Materials Storage Tanks Project CIP-33-084.0 for the purpose of upgrading the Underground Storage Tank Systems at Fire Station No. 42, Fire Station No. 43, and the Fire Communications Center;

Authorizing the appropriation of \$30,000 from Fund No. 302453, Capital Outlay Other, to CIP-33-084.0 and \$77,965.51 from Fund No. 30245, Capital Outlay, to CIP-33-084.0.

CITY MANAGER SUPPORTING INFORMATION:

This project provides for the upgrades to three Fire Department sites, Fire Station 42 (FS-42), Fire Station 43 (FS-43) and the Fire Communications Center (FCC). All three sites are regulated

by Federal and State laws requiring double wall piping, corrosion protection, and leak detection systems. FS-42, 12110 World Trade Drive, requires product piping upgrades from single wall piping to double wall piping, an upgraded leak monitor, and a new sump and manhole cover. This system is currently out of service and the fire crews must fuel their vehicles out of district. This situation has the potential for impacting response times. The FCC, 3850 Kearny Villa Road, requires upgraded piping, leak detection system, and a fuel dispenser for the ambulance fleet. This system supplies the fuel to the emergency generator and is currently operating without a permit. Failure to upgrade this system puts the City at risk of fines up to \$10,000 per day for every day the tank is operated without a permit. FS-43 will require repairs to the existing sumps or replacing the UST with an aboveground tank to correct infiltration of groundwater during the rainy season. This system is currently out of service and the fire crews must fuel their vehicles out of district. This situation has the potential for impacting response times. This project is part of the city-wide Underground Storage Tank Management Program and is one of a series of tank upgrade projects.

Aud. Cert. 9901242.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-116: San Diego Workforce Partnership, Inc. & South Metro Career Center Day.

COUNCILMEMBER STEVENS'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1438) ADOPTED AS RESOLUTION R-291786

Commending the San Diego Workforce Partnership, Inc. for their twenty-five years of service and the South Metro Career Center for their five years of service to San Diego;

Proclaiming June 23, 1999 to be "San Diego Workforce Partnership, Inc. and South Metro Career Center Day" in San Diego.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-117: Excusing Mayor Susan Golding from the Council Meetings of May 24 and 25, 1999.

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1455) ADOPTED AS RESOLUTION R-291787

Excusing Mayor Susan Golding from attending the regularly scheduled meetings of May 24 and 25, 1999, due to other City business.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-118: Declaring a Continued State of Emergency Regarding the Discharge of Raw Sewage from Tijuana, Mexico.

(District-8.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-1279) ADOPTED AS RESOLUTION R-291788

Declaring a Continued State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico.

FILE LOCATION: GEN'L - State of Emergency regarding the discharge of raw sewage from Tijuana, Mexico

COUNCIL ACTION: (Tape location: C134-267.)

MOTION BY STEVENS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-119: Alzheimer's Family Center.

(Uptown Community Area. District-3.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1436) ADOPTED AS RESOLUTION R-291789

Authorizing the execution of an agreement with George G. Glenner Alzheimer's Centers, Inc., for a \$258,000 in CDBG Funds for a down payment in the purchase of property for a School of Dementia Care and Corporate Offices located at the northwest corner of Fourth Avenue and Pennsylvania Avenue, together with any nonsubstantive modifications or amendments which do not increase the project scope or cost and which the City Manager shall deem necessary from time to time in order to carry out the purpose and intent of the project and agreement;

Authorizing the expenditure of an amount not to exceed \$265,000 from CDBG Fund No. 18533 and 18534 in connection with the George G. Glenner Alzheimer's Centers, Inc., for labor costs, appraisal and acquisition of property rights.

CITY MANAGER SUPPORTING INFORMATION:

The City Council has allocated \$265,000 in CDBG funds to the George G. Glenner Alzheimer's Family Centers, Inc., for the purchase of the property they presently occupy, located at 3702 Fourth Avenue, for their School of Dementia Care and Corporate Offices. The appraisal and purchase of the property necessitates an expenditure of \$265,000 from the CDBG Funds. \$258,000 for the down payment and \$7,000 for labor costs and appraisal fee. The \$258,000 down payment will be secured by a 2nd Note and Deed of Trust. The 1st Deed of Trust is a purchase money Note and Deed of Trust in the amount of \$152,000 carried back by the Seller.

Aud. Cert. 9901249.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-120: South Bay Water Reclamation Plant - Second Amendment to the Agreement with Parsons Engineering Science, Inc.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1400) ADOPTED AS RESOLUTION R-291790

Authorizing the City Manager to execute a second amendment to the agreement of January 31, 1995, with Parsons Engineering Science, Inc., for design and construction services in connection with the South Bay Water Reclamation Plant;

Authorizing the expenditure of an amount not to exceed \$793,472 from Fund No. 41509, CIP-42-910.6, South Bay Water Reclamation Plant;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION:

On January 31, 1995, the City Council adopted Resolution R-284112 approving a contract with Parsons Engineering Science, Inc. (Parsons), for design and construction services in connection with the South Bay Water Reclamation Plant (SBWRP). On February 20, 1996, the City Council approved Amendment #1 to Parsons contract to move funds between different tasks. In January 1998 construction began on the SBWRP and Parsons began providing services during construction. The original contract provided for only two years of construction services. The construction of the SBWRP will be completed in June 2001, or three and a half years after construction began. This action is to extend Parsons contract to provide construction phase services for an additional year and a half and to provide services in the areas of Functional Acceptance Testing, Emergency Operation Plan, Start-up, and Support for Operations Review. It is requested that the proposed Amendment No. 2 to the Agreement with Parsons be approved.

Aud. Cert. 9901254.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-121: Amendment No. 1 to the Metropolitan Operations Center Agreement (MOC) Sillman/Wyman, Inc.

(Kearny Mesa Community Area. District-6.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1408) ADOPTED AS RESOLUTION R-291791

Authorizing the City Manager to execute an amendment to the agreement of April 1, 1999 with Sillman/Wyman, Inc., for additional design services in connection with the Metropolitan Operations Center;

Authorizing the expenditure of an amount not to exceed \$221, 000 to be expended as follows: \$100,684 from Fund No. 41506; \$83,062 from Fund No. 41508; and \$37,254 from Fund No. 41509.

CITY MANAGER SUPPORTING INFORMATION:

On April 1, 1998, under document C-08654, the City Council approved the agreement between the City and Sillman/Wyman, Inc. to provide design services for the Metropolitan Operations Center (MOC). The MOC is comprised of several office buildings (MOC I, II, III and IV) and parking facility (MOC V). This Amendment No. 1 is to complete several out-of-scope design changes due to recent developments needing further structural evaluations, geotechnical investigations, preparation of alternative designs, construction phasing plans, addendums to bid documents, changes due to City plan check process, preparation of Job Order Contract (JOC) construction documents to move City personnel from Chollas to MOC, construction administration of all the MOC facilities, and a new electrical system study for MOC IV. Other design changes includes development of plans and technical specifications of electrical, fire alarm, lighting, rail hoist and bridge crane changes, as well as for deck covering and fire proofing the day care center ceiling, new MOC master signage system, new canopy roof, new canopy stairs and new roof hatch railing.

Aud. Cert. 9901264.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-122: Two actions related to School Safety Patrol Summer Camp.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem A: (R-99-1484) ADOPTED AS RESOLUTION R-291792

Authorizing the City Manager to enter into a letter of agreement with the San Diego Unified School District for the transport of students to and from School Safety Patrol Summer Camp;

Declaring that the City of San Diego will assume total responsibility for the conduct of students while riding the bus, including but not limited to vandalism to school equipment and liability for damages resulting from objects thrown from the bus;

Declaring that the City of San Diego will bear an equal share of the liability over and above insurance limitations if the school district meets the performance standards;

Authorizing the expenditure of approximately \$115,000 from Police Department budgeted funds, Fund 100, Department 110, Organization 4005, Job Order 005535, Object Account 4455, for providing funds for the School Safety Patrol Camp.

Subitem B: (R-99-1451 Cor.Copy 06-09-99) ADOPTED AS RESOLUTION
R-291793

Authorizing the City Manager to enter into a letter of agreement with the Poway Unified School District for the transport of students to and from School Safety Patrol Summer Camp;

Declaring that the City of San Diego will assume total responsibility for the conduct of students while riding the bus, including but not limited to vandalism to school equipment and liability for damages resulting from objects thrown from the bus;

Declaring that the City of San Diego will bear an equal share of the liability over and above insurance limitations if the school district meets the performance standards.

CITY MANAGER SUPPORTING INFORMATION:

For over 35 years, the City of San Diego has conducted, through the Police Department, a School Safety Patrol Summer Camp. Attendees are fifth and sixth grade students who have served a minimum of one year as school patrol crossing guards. This camp is held in recognition of the contributions made by these children, and provides an educational and recreational experience for them. This summer, approximately 960 students and 96 student counselors are expected to attend. This action provides for entering into an agreement with both the San Diego Unified School District and the Poway Unified School District for the transporting of the students to and from camp. In the past, the school districts have provided the buses, drivers and insurance. The City of San Diego is responsible for the conduct of the students while on the buses, and agrees to share equally in liability in excess of the school district's insurance policy. This action further provides for paying expenses associated with conducting the School Safety Patrol Summer Camp, such as payment to San Diego County Schools, Department of Outdoor Education for the use of the facilities at Palomar Mountain School Camp.

Aud. Cert. 9901229.

FILE LOCATION: Subitems A & B: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-123: Construction of Water and Sewer Group Job 529.

(Midway and Peninsula Community Areas. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1248) ADOPTED AS RESOLUTION R-291794

Approving Change Order No.2, dated February 19, 1999, with Dietrich Corporation, issued in connection with the construction of Water and Sewer Group Job 529, amounting to a net increase in the contract price of \$23,386;

Authorizing the expenditure of an amount not to exceed \$48,386 from Fund 41506, CIP-44-001.0, Annual Allocation Sewer Main Replacement;

Authorizing the City Auditor and Comptroller to transfer excess funds, if any, to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

On June 16, 1998, City Manager approved awarding the low base bid, \$2,852,261, to Dietrich Corporation for the construction of Water and Sewer Group 529. This project includes the replacement of approximately 11,307 feet of water main and 6,391 feet of sewer main along Rosecrans Street, in the Peninsula and Midway Community Areas. The existing facilities were 61 years old, experienced many breaks and were, therefore, in need of replacement. Construction Change Order No. 1 (CO1) included the additional installation of 130 feet of 12-inch water main, per the request of the Water Operations Division. Construction Change Order No. 1 was funded from the projects contingency money. Authorizing Council to approve construction Change Order No. 2 to include an additional 35 feet of 6-inch sewer lateral, 2 cleanouts, 7 point repairs, rock bedding, field orders and televising. The actual field quantities of these items differed from those in the contract documents. The current utilities maps did not show these items, and were discovered during construction. The additional project related costs are needed to fund these design changes. The proposed additional work is not anticipated to affect the schedule of the subject contract.

Aud. Cert. 9901115.

WWF-99-374.

FILE LOCATION: CONT - Dietrich Corporation

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargasa-yea, Mayor Golding-yea.

* ITEM-124: Point Loma Scum Removal System - Concrete Restoration.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1396) ADOPTED AS RESOLUTION R-291795

Authorizing the City Manager to enter into negotiations with Nielsen Dillingham Builders for Change Order No. 9, in connection with the contract for the Point Loma Scum Removal System - Concrete Restoration, in an amount not to exceed \$540,000;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$540,000 from Fund No. 41509, CIP-42-910.6, South Bay Water Reclamation Plant, to Fund No. 41508, CIP-46-110.0, Point Loma - Scum Removal System;

Authorizing the expenditure of an amount not to exceed \$540,000 from Fund No. 41508, CIP-46-110.0, Point Loma - Scum Removal System, to provide funds for the change order when negotiated.

CITY MANAGER SUPPORTING INFORMATION:

The Point Loma - Scum Removal System Project is under construction and provides for comprehensive upgrades to the twelve sedimentation basins at the Point Loma Wastewater Treatment Plant. The project covers a large area of the thirty-five year old plant. It includes extensive concrete restoration work necessary to extend the life of the facility, and treatment enhancement improvements with upgrades to the scum processing and odor control facilities. Resolution R-288066 authorized the City Manager to execute a construction contract with the lowest responsive bidder and the contract was awarded to Nielsen-Dillingham Builders for \$11,989,000. Approval is requested for a Construction Change Order for additional concrete restoration for basins 5 and 6. During design for concrete restoration, because of ongoing treatment requirements and the difficulty of access, not all the basins could be given a close detailed inspection. Now as part of construction, two sedimentation basins are taken out of

service at a time to perform the work. Basins 1 through 4 were completed with minimal additional restoration. Work has been underway on basins 5 and 6 which were constructed in 1976. With the sandblasting and preparation of the concrete surface, greater deterioration than expected has been found in these basins. This change order is needed to perform the additional concrete restoration work required to extend the life of these structures. The additional work will also ensure the safety of plant personnel and efficient treatment performance. Based on the findings at basins 5 and 6, it is anticipated there will be a need for additional concrete restoration under this contract for basins 7 and 8. The full scope of this additional work can not be determined until these basins are taken out of service for repair. Since the other remaining basins (9 through 12) are newer, they are not expected to require any substantial additional work.

Aud. Cert. 9901230.

FILE LOCATION: CONT - Nielsen Dillingham Builders

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-125: Point Loma - Headworks, Odor Control, and Grit Processing Facilities.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1407) ADOPTED AS RESOLUTION R-291796

Authorizing the City Manager to negotiate and execute Change Order No. 4 with CDM Engineers and Constructors, Inc. in an amount not to exceed \$268,818 in connection with the contract for Point Loma - Headworks, Odor Control and Grit Processing Facilities;

Authorizing the expenditure of an amount not to exceed \$268,818 from Fund No. 41508, CIP-46-175.0, Point Loma - Headworks, Odor Control and Grit Processing.

CITY MANAGER SUPPORTING INFORMATION:

The Point Loma - Headworks, Odor Control and Grit Processing Facilities Interim Improvements Project is under construction and provides for upgrades to the headworks treatment facilities and odor control systems at the Point Loma Wastewater Treatment Plant. Resolution R-290165 authorized the City Manager to execute a construction contract with the lowest responsible bidder and the contract was awarded to CDM Engineers and Constructors Inc. (CDM) for \$8,214,100. Approval of a Construction Change Order is requested to add instrumentation and control system work to this contract. Originally for this project the Comnet System Provider (CSP) contract with Westinghouse Process Control Division was going to be amended to supply, install, calibrate, loop check and start-up instrumentation and control devices needed for the project. It was determined that it would be better if this work were provided by CDM, the general contractor for this project. With this change order the responsibility for this work would be given to CDM. This reduces the coordination required between the CSP and CDM. It also reduces the potential for delays and costs associated with those delays. The CSP will continue to provide control system hardware and software required for the project.

Aud. Cert. 2000004.

FILE LOCATION: CONT - CDM Engineers and Constructors, Inc.

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-126: Reappointments to the Board of Appeals and Advisors (Buildings).

(See memorandum from Mayor Golding dated 5/7/99.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1308) ADOPTED AS RESOLUTION R-291797

Council confirmation of the reappointments by the Mayor to serve as members of the Board of Appeals and Advisors (Buildings), in categories as indicated, for terms ending March 1, 2001:

REAPPOINTMENTS

Matthew N. Martinez (Handicapped)

Hugh C. Carter - Chairperson (Consulting Mechanical Engineer)

Daniel M. Bridgett (Fire Engineer)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-127: Appointment to the Commission on the Status of Women.

(See Memorandum from Mayor Golding dated 4/8/99 with resume attached.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1132) ADOPTED AS RESOLUTION R-291798

Council confirmation of the appointment by the Mayor of Patricia W. Kelly, to serve as a member of the Commission on the Status of Women, for a term ending March 1, 2000, replacing Jacqueline Sherman-Rustin, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

* ITEM-128: Reappointments to the Historical Site Board.

(See memorandum from Mayor Golding dated 5/7/99.)

MAYOR GOLDING'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1309) ADOPTED AS RESOLUTION R-291799

Council confirmation of the following reappointments by the Mayor to serve as members of the Historical Site Board, for terms ending March 1, 2001:

REAPPOINTMENTS

Cynthia Furlong
Lynne Christenson
Larry P. Malone
James H. Ahern

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

- * ITEM-129: Loan Repayment to Presley Homes/Carmel Mountain Ranch and Transfer of Funds from the Rancho Bernardo Library Project to the Rancho Bernardo Community Enhancement Project.

(Rancho Bernardo Community Area. District-5.)

COUNCILMEMBER WARDEN'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1453) ADOPTED AS RESOLUTION R-291800

Amending the FY 1999 Capital Improvement Program by adding CIP-39-229.0, Rancho Bernardo Community Enhancement Capital Outlay Project;

Authorizing the City Auditor and Comptroller to close out the Rancho Bernardo Library Project (CIP-35-0840), and transfer \$134,685 from CIP-35-0840, Fund 302453 to the Rancho Bernardo Community Enhancement Capital Outlay Project;

Authorizing the City Manager to reimburse \$100,000 to Presley Homes/Carmel Mountain Ranch from the Carmel Mountain Ranch Advance Fund (10603).

SUPPORTING INFORMATION:

On May 16, 1995, Presley Homes/Carmel Mountain Ranch agreed to provide \$600,000 to the City of San Diego for the short term funding of the Rancho Bernardo Library project. These funds were "borrowed" from project No. 33 of the Carmel Mountain Ranch Facilities Financing Plan with the understanding that a combination of funds secured from private fund raising efforts in Rancho Bernardo and funds secured through the Black Mountain Ranch Development Agreement will be used to reimburse project No. 33. Since the Rancho Bernardo Library was completed, the City will reimburse project No. 33 \$100,000 from the Carmel Mountain Ranch Advance fund. Through the Black Mountain Ranch Development Agreement, \$500,000 will be used to complete the reimbursement of project No. 33.

Aud. Cert. 9901261.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-150: Funding Plan to Support the Golf Enterprise Fund, Fiscal Years 2000-2002.

(See City Manager Reports CMR-99-122 and CMR-99-105; Golf Operations Funding Plan; Robert I. Farrar's 4/3/99 letter; John Baebler's letter. Torrey Pines Community Planning Area and Golden Hill Community Planning Area. Districts 1 and 3.)

TODAY'S ACTION IS:

Adoption of the following resolution:

(R-99-1452) ADOPTED AS RESOLUTION R-291801

Approving the Fiscal Years 2000-2002 Torrey Pines and Balboa Park Golf Course Fees as described in the City Manager's Report.

NATURAL RESOURCES AND CULTURE COMMITTEE'S RECOMMENDATION:

On 5/26/99, NR&C voted 4-0 to adopt the City Manager's recommended Three-Year Funding Plan for the Golf Enterprise Fund for Fiscal Years 2000-2002. (Councilmembers Mathis, Kehoe, Warden, and McCarty voted yea. Councilmember Stallings not present.)

FILE LOCATION: GEN'L - Fees & Charges

COUNCIL ACTION: (Tape location: A554-B552.)

MOTION BY MATHIS TO ADOPT THE RESOLUTION APPROVING THE CITY MANAGER'S RECOMMENDATION. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-200: Fiscal Year 2000 Tax Appropriations Limit.

(See City Manager Report CMR-99-118.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1434) ADOPTED AS RESOLUTION R-291802

Establishing the following tax appropriations limit for the City of San Diego, pursuant to the authority of California Government Code, Division 9, Title 1 (Section 7900 et seq.):

Established for Fiscal Year 1998	\$504,620,542
Established for Fiscal Year 1999	\$539,035,663
Established for Fiscal Year 2000	\$512,052,218

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-201: Deappropriation of TransNet Funds.

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1489) ADOPTED AS RESOLUTION R-291803

Authorizing the deappropriation of TransNet Bonds, Fund 30302, in the total amount of \$11,642,155.56 for 72 projects.

CITY MANAGER SUPPORTING INFORMATION:

As part of the Fiscal Year 1999 approved Capital Improvements Program Budget, the Mayor and City Council approved over twelve million in TransNet Bonds to partially fund current and previous year's capital improvement projects. Due to the implementation of an aggressive cash management process, staff has been able to utilize available cash within TransNet projects in lieu of drawing down bonds, which has resulted in significant debt service savings. This action recommends that the remaining TransNet bonds identified on the schedule be deappropriated. Based on the City Council's recent action to approve the use of commercial paper to fund current year projects in lieu of issuing bonds, a recommendation to fund corresponding project requirements in Fiscal Year 2000 with commercial paper will be forwarded to Council prior to budget deliberations beginning June 23, 1999. This recommendation will be incorporated as part of the City Manager's Fiscal Year 2000 Proposed Budget. The annual cost of commercial paper is approximately \$39,000 per one million, with repayment due no later than June 30, 2007.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-202: A Resolution Creating a System-Paid Purchase of Service Credit for the Retirement Administrator as Approved by the Board on July 17, 1998.

RETIREMENT SYSTEM'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1233) CONTINUED TO TUESDAY, JUNE 29, 1999

Establishing a special benefit, in the form of an employer-paid purchase of service credit, for Lawrence B. Grissom. Mr. Grissom shall receive, at employer expense, one additional year of service credit for each of the next five years in which he remains in service as the Retirement Administrator for SDCERS, payable one year at a time on June 30 of each such year.

SUPPORTING INFORMATION:

Lawrence B. Grissom has served with distinction as Retirement Administrator for SDCERS since July 6, 1987. In the Spring of 1998, the Retirement Board, as part of its ongoing strategic planning process, reviewed and evaluated, with the assistance of outside consultants, his job performance. During this process, several Trustees indicated they were aware of other retirement systems expressing an interest in the Administrator for their systems. Other Trustees asked how the Administrator's salary has been adjusted historically and whether his salary compared favorably to that of administrators for other comparable systems. In response, the Board's President appointed an Executive Committee consisting of himself and two other Trustees to look at the Administrator's salary and report back to the Board with a recommendation. With respect to historic salary adjustments, the Executive Committee learned that although the Administrator had received the negotiated increases available to all General Members, he had not received a merit increase in several years. In addition and with the help of the Board's strategic planning consultants, the Executive Committee conducted an informal compensation survey of administrators for comparable retirement systems. As a result of the informal survey conducted, the absence of any recent merit increases and the knowledge the Administrator's services had been sought elsewhere, the Executive Committee formulated a unique two-part recommendation designed to bring the Administrator's base pay up to a level more in line with that of his peers as well as encourage his continued performance as the System's Administrator. To bring the Administrator's salary more in line with that of his peers, the Committee recommended a 3 percent increase to his base pay. To encourage retention, the Executive Committee recommended a System-paid purchase of service credit arrangement. The purchase of service credit arrangement involves the purchase of one year of service credit, one year at a time, at System expense, up to a maximum of five years, for each additional year the Administrator works as the System's Administrator subject to the condition he be on the System's active payroll on June 30th of the fiscal year for which he is to receive the service credit. The cost of this benefit is \$17,605.22 per year, totally \$88,026.12 (adjusted by future salary increases, if any) if five years are granted. On July 17, 1998, the Board adopted the Executive Committee's salary increase and fringe benefit recommendations. Effective July, 1998, the Administrator's base salary was increased by 3 percent. The purchase of the first year of service credit has not yet occurred due to concerns raised by the Auditor and City Attorney with respect to the characterization and mechanics of the purchase of service credit arrangement. If the purchase of service credit is "compensation," the City Auditor and Attorney contend the range for the administrator's position in the salary ordinance can not accommodate it. If, however, the purchase of service credit is a "fringe benefit," it still can not be implemented unless the City Council adopts a resolution to create it. Although the Retirement Board's General and Fiduciary Counsel both disagree with the City Attorney's position, the General Counsel recommended the Board note its objection for the record as to the applicability of the salary ordinance, City Charter section 70 or the need to use a Council Resolution to purchase the service credit and process a

Request to Council to create the "fringe benefit" as required by the City Attorney. On April 16, 1999, the Retirement Board adopted the Board Resolution documenting the compensation package for the administrator approved by the Retirement Board on July 17, 1998.

Aud. Cert. 9901239.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO JUNE 29, 1999, AT THE REQUEST OF THE CITY MANAGER, SO THAT THE ITEM CAN BE HEARD IN CLOSED SESSION ON JUNE 22, 1999. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-203: Catamaran Hotel Beach Permit Renewal.

(Mission Bay Park Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1387) CONTINUED TO MONDAY, JUNE 28, 1999

Authorizing the City Manager or his designee to execute a five-year permit for daylight use of a 0.133-acre portion of the beach adjacent to the Catamaran Pier, located at the Sail Bay Area of Mission Bay Park, for a food, beverage and beach equipment concession to serve hotel guests and the general public at an annual minimum rent of \$500.

CITY MANAGER SUPPORTING INFORMATION:

The Catamaran Hotel beach permit was authorized in November 1992. Located on a 0.133-acre portion of the beach adjacent to the Catamaran Hotel and Pier, the permit allows daylight use of the area for a food, beverage and beach accessory rental concession. This concession serves both guests of the Catamaran Hotel and the general public. Under the terms of the five-year permit

renewal, the City receives an annual minimum rent of \$500 with a provision to receive 10 percent of the gross income exceeding \$5,000 in any given year. The permit is cancelable by either party with sixty days prior written notice.

USE - Food, beverage, beach accessory concession.

LOCATION - Sail Bay Area of Mission Bay Park.

PREMISES - 0.133-acre portion of the beach adjacent to the Catamaran Pier.

TERM - Five years, subject to termination by either party with sixty days notice.

RENT - \$500 per year minimum vs. 10 percent of gross income.

FILE LOCATION: NONE

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO CONTINUE TO JUNE 28, 1999, AT THE REQUEST OF THE CITY MANAGER, FOR FURTHER REVIEW. Second by Warden.

Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-204: Agreement with Mac-Donald Stephens, Engineers, Inc., for the Encanto Park Pipeline.

(Encanto Community Area. District-4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1135) ADOPTED AS RESOLUTION R-291804

Amending the Fiscal Year 1999 Budget by adding CIP-70-952.0, Encanto Park Pipeline;

Authorizing the City Auditor and Comptroller to transfer \$1,238,861 within Water Revenue Fund 41500, from CIP-73-314.0, Mid-City Pump Plant to CIP-70-952.0, Encanto Park Pipeline, for the construction of Encanto Park Pipeline;

Authorizing the City Manager to execute an agreement with Mac-Donald Stephens, Engineers, Inc., to provide engineering consultant services for an amount not to exceed \$96,109, for the design of Encanto Park Pipeline;

Authorizing the expenditure of an amount not to exceed \$391,637 from Water Revenue Fund No. 41-500, CIP-70-952.0, Encanto Park Pipeline;

Authorizing the City Auditor and Comptroller, upon advice from the administering department to transfer excess CIP budgeted funds, if any to the appropriate reserves.

CITY MANAGER SUPPORTING INFORMATION:

As a direct link to the northern Encanto service area, this project will provide the necessary pressure required for peak-hour demands. The Project upgrade includes: the replacement of 1,618 linear feet of existing 12-inch Cast Iron pipe with 24-inch CML&C steel pipe along 65th Street just south of Herrick Street, replacement of 307 linear feet of 12-inch AC pipe with 24-inch CML&C steel pipe along Klauber Avenue between Broadway and Wren Street, replacement of 1,024 linear feet of 8-inch AC pipe with 16-inch PVC pipe along Klauber Avenue between Wren Street and Bittern Street, and the replacement of 547 linear feet of 6-inch cast iron pipe with 16-inch PVC pipe along Klauber Avenue between Bittern Street and Scimitar Drive. Of the 3,496 feet of proposed replacement, 62 percent is cast iron pipe replacement. This Agreement will establish terms and conditions with MacDonald-Stephens, Engineers Inc. for design and construction support services of the 3,496 feet discharge pipe upgrade along 65th Street and Klauber Avenue including a Hydraulic Water Transients Study of the 65th and Herrick Pump Plant and associated piping in the service area. This action will amend the FY 99 CIP budget to add CIP-70-952.0, Encanto Park Pipeline, and will also authorize the transfer of \$1,238,861 from Water Revenue Fund 41500, CIP-73-314.0, Mid-City Pump Plant to CIP-70-952.0, Encanto Park Pipeline.

Aud. Cert. 9901234.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-205: Point Loma Digesters Upgrade and Expansion Project.

(Point Loma Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1399) ADOPTED AS RESOLUTION R-291805

Authorizing the City Manager to negotiate and execute a change order with Kiewit Pacific Company in an amount not to exceed \$300,000 in connection with the Point Loma Digester Upgrade and Expansion Project;

Authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$250,000 from Fund No. 41508, CIP-46-119.0, Point Loma - Annual Allocation, to Fund No. 41509, CIP-46-170.0, Point Loma - Digester Expansion and Upgrade;

Authorizing the expenditure of an amount not to exceed \$1,401,250 from Fund No. 41509, CIP-46-170.0, Point Loma - Digester Facility Upgrade and Expansion, to provide additional contingency for the project.

CITY MANAGER SUPPORTING INFORMATION:

On May 3, 1993, City Council Resolution R-281902 authorized the design for over \$50 million of improvements to the digester system at the Point Loma Wastewater Treatment Plant. These improvements are needed to replace rundown equipment and improve operations. To distribute the construction work, five bid packages were originally developed for construction over a five year period. The shifting of funds and operational priorities required rescheduling the construction of these packages over a ten year period. This rescheduling has required scope of work changes to existing construction contracts to ensure more effective operation of the digester system. Other unforeseen changes must also be addressed with these contracts. This requested action is for additional funding for construction contingency and related costs. The contingency funds will be used to fund scope of work changes to Nielsen Dillingham Builders' contract for the Central Boiler and Gallery Upgrade Project and to Kiewit Pacific Company's (KPC) contract for the Digester 7 & 8 and Gas System Upgrade Project. The work being added to these contracts includes additional earthwork, paving, process equipment and modifications to existing equipment. This action is also for approval of a change order for KPC for construction of a storm water diversion facility located within pavement areas of the project. The diversion

facility will help to ensure the plant's compliance with the facility's NPDES storm water discharge permit. The additional related cost funding is needed to fund operations and maintenance support for the start-up testing activities of the Digester Upgrade and Expansion Project and to fund a Job Order Contract with Balboa Construction Inc. The Job Order Contract will install the interior piping for the gravity overflow system inside two of the existing digesters. This work must be coordinated now with the work of several other projects currently under construction. It is also needed now to complete installation of the master plan gravity overflow system on six of eight digesters and ensure more efficient operations.

Aud. Cert. 9901245.

FILE LOCATION: CONT - Kiewit Pacific Company

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-206: Two actions related to the South Bay Water Reclamation Plant Expansion.

(See City Manager Report CMR-99-120. Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-99-1403) ADOPTED AS RESOLUTION R-291806

Authorizing the execution of a third amendment to the agreement of January 31, 1995, with Parsons Engineering Science, Inc., for design and construction services in connection with the South Bay Water Reclamation Plant Expansion in an amount not to exceed \$2,405,520;

Authorizing the City Manager to negotiate and execute Change Order No. 8 with Kiewit Pacific Company for construction services in connection with the South Bay Water Reclamation Plant Expansion, in an amount not to exceed \$22,770,000

and contingent on Council approval of the Fiscal Year 2000 CIP budget;

Approving contract funding phases with Kiewit Pacific Company in connection with the South Bay Water Reclamation Plant Expansion, provided the City Auditor and Comptroller first furnishes a certificate demonstrating that the funds necessary for the expenditure are, or will be, on deposit in the City Treasury;

Authorizing the City Manager to negotiate and execute Amendment No. 18 to the agreement of August 8, 1994, with Westinghouse Electric Corporation, for COMNET related expenses in connection with the South Bay Water Reclamation Plant, in an amount not to exceed \$1,500,000;

Authorizing the City Auditor and Comptroller to amend the Fiscal Year 2000 Appropriation Ordinance by adding CIP-41-924.0, Otay River Pump Station, contingent on Council approval of the Fiscal Year 2000 CIP budget;

Authorizing the use of City Forces to do miscellaneous work in connection with the South Bay Water Reclamation Plant Expansion, pursuant to recommendation of the City Manager that the work can be done by City Forces more economically than if let by contract with the cost of the work not to exceed \$150,000;

Authorizing the expenditure of an amount not to exceed \$27,025,520 from Fund No. 41509, CIP-42-910.6, South Bay Water Reclamation Plant, to provide funds for the South Bay Water Reclamation Plant Expansion, as follows:

\$2,405,520 for Amendment No. 3 with Parsons Engineering Science;

\$1,500,000 for Amendment No. 18 with Westinghouse Electric Corporation, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for the expenditure under the established contract funding phases are, or will be, on deposit in the City Treasury;

\$200,000 for related construction cost, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for the expenditure under the established contract funding phases are, or will be, on deposit in the City Treasury;

\$150,000 for work by City Forces;

\$22,770,000 for Change Order No. 8 with Kiewit Pacific Company, provided that the City Auditor and Comptroller first furnishes one or more certificates demonstrating that the funds necessary for the expenditure under the established contract funding phases are, or will be, on deposit in the City Treasury;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

Subitem-B: (R-99-1404) ADOPTED AS RESOLUTION R-291807

Certifying that the information contained in the Addendum to Environmental Impact Report LDR-99-0513, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines; that the Addendum reflects the independent judgement of the City of San Diego as Lead Agency; and that the information contained in the Addendum, together with any comments received during the public review process, has been reviewed and considered by Council in connection with the approval of the South Bay Water Reclamation Plant Expansion.

Aud. Cert. 9901255.

FILE LOCATION: Subitem A: MEET & CONT - Kiewit Pacific Company (for Change Order No. 8 only); Subitem B: CONT - Kiewit Pacific Company

COUNCIL ACTION: (Tape location: B553-C133.)

MOTION BY MATHIS TO ADOPT. Second by Wear. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-not present, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-207: South Bay Water Reclamation Plant, CP-3, Change Order for Instruments.

(Tijuana River Valley Community Area. District-8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1394) ADOPTED AS RESOLUTION R-291808

Approving Change Order No. 7, dated May 13, 1999, with Kiewit Pacific Company, issued in connection with the South Bay Water Reclamation Plant contract to provide ComNet instruments, amounting to a net increase in the contract price of \$1,261,860;

Authorizing the expenditure of an amount not to exceed \$1,261,860 from Fund No. 4150, CIP-42-910.6, South Bay Water Reclamation Plant;

Authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves on advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION:

On February 24, 1998, the City Council adopted Resolution R-289765 approving the award of a construction contract for the South Bay Water Reclamation Plant (SBWRP), CP-3 - Process Facilities to the lowest responsible bidder and authorizing the City Manager to negotiate an amendment to the agreement with Westinghouse Electric Corporation to provide the Operations Management Network (COMNET) for the SBWRP. On August 3, 1998, the City Council adopted Resolution R-290575 approving a contract with Kiewit Pacific in the amount of \$61,006,000 for the construction of the SBWRP. A notice to proceed was issued to Kiewit on October 1, 1998. The City has since requested a design modification to make Kiewit Pacific responsible for providing the COMNET instrument which were previously to be supplied by Westinghouse Electric Corporation. The benefit of this change is that it makes one contractor responsible for both procurement and installation of the COMNET instruments. The City has negotiated Change Order No. 7 with Kiewit Pacific in the amount of \$1,261,860 to procure these instruments. The City is currently negotiating an amendment with Westinghouse and their scope and cost will be reduced to reflect the deletion of the instruments from their contract.

Aud. Cert. 9901263.

FILE LOCATION: CONT - Kiewit Pacific Company

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-nay, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-208: Street Vacation - San Clemente Northeast of Voltaire Street.

(Peninsula Community Area. District-2.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-99-1284) ADOPTED AS RESOLUTION R-291809

Vacating San Clemente Street, northeast of Voltaire Street;

Declaring that the resolution shall not become effective unless and until the Engineer approves the filing of a consolidation parcel map, Work Order No. 03200, which prevents landlocked parcels;

In the event the above consolidation parcel map is not filed within one year following the adoption of this resolution, this resolution shall become void and be of no further force or effect.

CITY MANAGER SUPPORTING INFORMATION:

The abutting property owner, Manuel J. Ramos, is requesting the street vacation of San Clemente Street. An application for the vacation of this same segment of San Clemente Street was previously requested and partially processed but not completed in 1978. The segment of San Clemente Street proposed for vacation totals .395-acre. The abutting lots to the area of vacation are zoned commercial and R-1500. There is no development proposed at this time. Future development will be subject to the City permit process and respective zoning regulations. Staff recommends approval of the vacation subject to the filing of a consolidation parcel map to prevent some of internal lots which now front on San Clemente Street from becoming landlocked. A 20-foot-wide sewer and water easement for existing City Facilities shall be reserved from the area of vacation. Staff review indicates that the four required findings for vacation can be made and recommends that the right-of-way be summarily vacated.

FINDINGS:

1. The portion of the street to be vacated is not needed for present or prospective public street purposes; and
2. The public will benefit from the vacation through improved utilization of the land.

3. The vacation is consistent with the approved Community Plan.
4. The public street system for which the right-of-way was originally acquired will not be detrimentally affected by this vacation.

FILE LOCATION: STRT - J-2898 (39)

COUNCIL ACTION: (Tape location: A266-349.)

Hearing began at 2:26 p.m. and halted at 2:31 p.m.

CONSENT MOTION BY STALLINGS TO ADOPT. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-209: In the matter of directing the City Manager to execute a lease amendment with Educational Enrichment Systems, Inc. in order to obtain financing to build a child care facility at property located adjacent to 2342 East Jewett Street, San Diego.

Prior to Council discussion in Closed Session and in compliance with the Brown Act, (California Government Code Section 54956.8) this issue is listed on the docket for public testimony.

TODAY'S ACTION IS:

HEARING HELD; REFERRED TO CLOSED SESSION ON TUESDAY,
JUNE 22, 1999

1) Open the Public Hearing and accept testimony from any members of the public wishing to address the Council on this subject; 2) Conclude and close the public hearing; and 3) Refer the matter to Closed Session on Tuesday, June 22, 1999.

NOTE: Members of the public wishing to address the Council on this item should speak "in favor" or "in opposition" to the subject.

FILE LOCATION: LEAS - Educational Enrichment Systems, Inc.

COUNCIL ACTION: (Tape location: A266-349.)

CONSENT MOTION BY STALLINGS TO REFER THIS ITEM TO CLOSED SESSION ON JUNE 22, 1999. Second by Warden. Passed by the following vote: Mathis-yea, Wear-yea, Kehoe-yea, Stevens-yea, Warden-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-S400: Presentation to MSC Specialty Films.

PRESENTED

A presentation by Councilmember Barbara Warden, on behalf of the City Council, of a \$10,109.58 rebate check to MSC Specialty Films for their participation in the City of San Diego Business Cooperation Program.

The City currently loses an estimated \$14 to \$20 million annually due to the misallocation of the local 1 percent of sale/use tax paid by San Diego companies on business-to-business sales. The program is designed to simultaneously lower the cost of doing business in San Diego and prevent the annual loss of millions of dollars in sales/use tax revenue due to misallocation. The Business Cooperation Program includes a variety of financial incentives designed to encourage businesses and non-profit corporations to allocate sales/use taxes to the City, thereby increasing General Fund revenues.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A472-553.)

NON-DOCKET ITEMS:

None.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 3:54 p.m. in honor of the memory of:

Elsie Roman-Nichols, as requested by Deputy Mayor Wear;
Rebecca Lenci, as requested by Deputy Mayor Wear;
Patricia S. Wyatt, as requested by Deputy Mayor Wear;
Patricia Ann LaCamera, as requested by Council Member McCarty; and
Romeo Cerezo, as requested by Council Member Vargas.

FILE LOCATION:

AGENDA

COUNCIL ACTION:

(Tape location: C268-324.)